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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,215	11/30/2000	Masahiro Fujihara	203831US6	3520

22850 7590 02/09/2004

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EXAMINER

NGUYEN, ANH T

ART UNIT PAPER NUMBER

2127

DATE MAILED: 02/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/727,215

Applicant(s)

FUJIHARA, MASAHIRO

Examiner

Anh T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This final action is responsive to paper number 7, Amendment A, filed 12/09/03.
2. Claims 13-19 are presented for examination.

### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. In addition, the word "Apparatys" in the amended title should recite --Apparatus--. Correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 17-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The additional limitations, "first displaying area" and "second displaying area" lacks descriptive support in the disclosure as originally filed. The "first displaying area" and "second displaying area" is not mentioned in the specification and it is unclear what these elements correspond to. For purposes of applying prior art, examiner interprets "first displaying area" as corresponding to image display area and "second displaying area" as corresponding to position display area.

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6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 17, 18, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following terms lack proper antecedent basis:

"said first displaying area" - claim 17, 18, and 19;

"said second recording means" - claim 18 and 19;

"said first display control means" - claim 18 and 19;

"said second recording means" - claim 18 and 19 ;

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 13-19 is rejected under 35 U.S.C. 102(e) as being anticipated by Murphy et al., USPN 6,282,362, hereinafter Murphy.

10. Murphy was cited in the last office action.

11. As per claim 13, Murphy teaches an image display apparatus comprising:

- image information displaying means for displaying a plurality of pieces of position information in an image information displaying area (Fig.1, display screen 210);
- position information displaying means for displaying a plurality of pieces of position information in relation to a point on a map displayed in a position information displaying area (Fig.1, display screen 220);
- position information specifying means for specifying a position information corresponding to a selected image information in said position information displaying area (Fig.1, unit 104, col.10, lines 3-5);
- image information specifying means for specifying an image information corresponding to a selected position information in said information displaying area (Fig.1, unit 104, col.10, lines 3-5).

12. As per claim 14, Murphy teaches the apparatus of claim 13 wherein both said image information and said position information each of which has attribute data of time, and both said position information specifying means and image information specifying means specify a corresponding relationship between said image information and position information using said attribute data of time as a parameter (col.9, line 49-50, lines 51-55).

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13. Claim 15 is a method claim of claim 13 and is rejected for the same reasons as claim 13 set forth hereinabove.

14. Claim 16 is a product claim of claim 13 and is rejected for the same reasons as claim 13 set forth hereinabove.

15. As per claim 17, Murphy teaches an image display apparatus, comprising:

- storage mean for storing image data (180, Fig.1, col.8, lines 62-64);
- first recording means for recording time information in a corresponding relationship to the image data (Fig.1, IRD 180 col.9, lines 49-50, lines 52-53);
- second recording means for recording position information in a corresponding relationship to image data (Fig.1, IRD 180, col.9, lines 54-55);
- first display control mean for controlling display of the first icons representative of the image data stored in said storage means in accordance with the time information recorded by first recording means (Fig.1, col.10, lines 26-27);
- second display control mean for controlling display of a map image in second displaying area (Fig.1, map 250, col.10, line 28); and
- third display control means for controlling display of second icons representative of the position information recorded by said second recording means on the map image whose display is controlled by second display control means ( icon 260, 270, 280, Fig.1), wherein
- said second display control means controlling, when one of the first icons whose display is controlled by said first display control means is selected, the display of

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the map image based on the position information of the image data corresponding to the selected first icon recorded by said second recording means in said second displaying area (250, Fig.1, col.10, line 28), and

- said first display control means controlling, when one of the second icons whose display is controlled by said third display control means is selected, the display of the first icons based on the time information of the image data corresponding to the selected second icon recorded by said first recording means in said first displaying area (Fig.1, col.10, lines 26-27).

16. Claim 18 is a method claim of claim 17 and is rejected for the same reasons as claim 17 set forth hereinabove.

17. Claim 19 is a product claim of claim 17 and is rejected for the same reasons as claim 17 set forth hereinabove.

18. Applicant's arguments filed on 12/09/03 have been considered but are moot in view of new grounds of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh T Nguyen whose telephone number is (703) 305-8649. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

Anh T. Nguyen  
Art Unit 2127  
February 4, 2004

*an*

  
**MENG-AL T. AN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**